

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



**FILED**  
8-31-15  
02:18 PM

August 31, 2015

Agenda ID #14248

TO PARTIES OF RECORD AND PARTIES TO APPLICATION 09-03-008:

This is the proposed decision of Examiner Ryan Dulin. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's October 1, 2015 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

/s/ KAREN V. CLOPTON

Karen V. Clopton, Chief  
Administrative Law Judge

KVC:ek4

Attachment

Decision **PROPOSED DECISION OF EXAMINER RYAN DULIN**  
(Mailed 8/31/2015)

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of The Ponderosa Telephone  
Co. (U1014C) for Rehearing of Resolution  
T-17132.

Application 09-03-008  
(Filed March 5, 2009)

**DECISION CLOSING PROCEEDING**

**Summary**

This decision closes the proceeding as all outstanding issues have been resolved.

**1. Background**

On December 28, 2007, Ponderosa Telephone Company (Ponderosa) filed a General Rate Case (GRC) request through Advice Letter (AL) 374, and later submitted a supplemental GRC request through AL 374A on June 10, 2008. On January 29, 2009, the Commission addressed ALs 374 and 374A by adopting Resolution (Res.) T-17132, which authorized Ponderosa's intrastate revenue requirement, rate of return, and the resulting California High Cost Fund A (CHCF-A) support for Test Year (TY) 2009 beginning on January 1, 2009. Among other adjustments, Res. T-17132 disallowed, in full, the executive salaries for the president and vice-president of Ponderosa. The record for the GRC proceeding was developed by Ponderosa's filing of ALs 374 and 374A, and supporting

documents and information gathered and used by the Communications Division (CD).

On March 5, 2009, Ponderosa filed Application (A.) 09-03-008 for rehearing of Res. T-17132. In May 2009, the Commission issued Decision (D.) 10-05-052, granting a limited rehearing on the determination regarding executive compensation, and denying rehearing of the resolution, as modified, in all other respects.

In June 2009, Ponderosa filed A.09-06-015, a petition for modification of Res. T-17132, asserting that the Resolution contained calculation and/or methodological errors. In May 2011, the Commission issued D.11-05-036, which partially granted and partially denied Ponderosa's Petition to Modify Resolution T-17132. D.11-05-036 determined that one error occurred in the income tax calculation that CD performed, modified Res T-17132 accordingly, and closed A.09-06-015.

On December 1, 2011, the Commission adopted Res. T-17297, resolving the limited rehearing issues granted in D.10-05-052 by adjusting executive compensation levels previously adopted by Res. T-17132.

## **2. Discussion**

Res. T-17297 resolved the issues raised in A.09-03-008. Because the issue in A.09-03-008 has been resolved, there is no reason for this proceeding to remain open. We therefore close A.09-03-008.

## **3. Comments on Proposed Decision**

The proposed decision of Examiner Ryan Dulin in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. In addition, the proposed decision was served to parties on the

service list of Application 09-06-015. Comments were filed on \_\_\_\_\_, and reply comments were filed on \_\_\_\_\_ by \_\_\_\_\_.

#### **4. Assignment of Proceeding**

Ryan Dulin is the assigned Examiner in this proceeding.

#### **Findings of Fact**

1. D.10-05-052 granted a limited rehearing of Res. T-17132 on the issue of executive compensation.
2. In June 2009, Ponderosa filed A.09-06-015, a petition for modification of Res. T-17132, asserting that Res. T-17132 contained errors.
3. D.11-05-036 modified one calculation in Res. T-17132, and closed A.09-06-015.
4. Res. T-17297, adopted on December 1, 2011, adjusted Ponderosa's intrastate revenue, expenses, and rate base amounts for TY 2009 to allow for executive compensation, and thereby resolved the remaining issue in A.09-03-008.

#### **Conclusion of Law**

1. A.09-03-008 should be closed.

### **O R D E R**

1. Application 09-03-008 is closed.

This order is effective today.

Dated \_\_\_\_\_, 2015, at San Francisco, California.